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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,793	06/07/2001	Kang Soo Seo	2080-3-25	9026
35884	7590	02/16/2006	EXAMINER	
LEE, HONG, DEGERMAN, KANG & SCHMADEKA, P.C. 801 SOUTH FIQUEROA STREET 14TH FLOOR LOS ANGELES, CA 90017			LAYE, JADE O	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,793

Applicant(s)

SEO ET AL.

Examiner

Jade O. Laye

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 1-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

- I. Applicant's amendments, dated 12/5/05, have been entered and made of record.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- II. Claims 23, 24, & 29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added material which is not supported by the original disclosure is directed to the menu management information which indicates the size of each block of menu data. (Applicant amended the specification to support this amendment at Pars. [0012] & [0057].)

It appears that Applicant would like the Examiner to infer that the size of each new HOB is inherently indicated based upon the address information of each HOB. However, simply providing a start and ending address for a HOB does not inherently indicate the size of said HOB. Nowhere in Applicant's original disclosure was such an embodiment discussed, thus, this amended portion constitutes new matter.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

III. Claims 20, 21, 25-27, & 30-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. (US Pat. No. 6,483,983).

As to Claim 20, Takahashi et al disclose a recording medium having a data structure for managing reproduction of a picture array (i.e., indexed thumbnails representing scenes). (Abstract; Col. 2, Ln. 32-54; Col. 9, Ln. 8-51). Moreover, it is inherent the picture array data representing scenes be some form of “blocked” data. Accordingly, Takahashi et al anticipate each and every limitation of Claim 20.

Claims 30-32 correspond to Claim 20. Thus, each is analyzed and rejected as previously discussed. (*Note*: the “driver” and “controller” components of Claim 31 are disclosed at Col. 3, Ln. 63-Col. 4, Ln. 33)

As to Claim 21, Takahashi further teaches the reduced pictures (i.e., thumbnails) displayed in the array correspond to scenes on the DVD. (citations of Claim 1). Accordingly, Takahashi et al anticipate each and every limitation of Claim 21.

As to Claim 25, it is inherent the DVD of Takahashi indicate the number of reduced pictures stored in the array. When the array data is stored on the DVD, there must be some form

of information which reflects the number of reduced pictures stored on said DVD. Accordingly, Takahashi et al anticipate each and every limitation of Claim 25.

As to Claim 26, Takahashi further teaches the use of “head indexing,” a well-known technique in video reproduction. Head indexing is a process by which addresses are attached to various frames in a data stream, thereby providing quick access to desired frames (i.e., the reduced pictures) in the picture array. (Col. 1, Ln. 27-44). Although Takahashi appears to only teach a starting address of a frame displayed in the array, this address would, in essence, be a starting and ending address since a “frame” is a defined point (i.e., beginning and end) in the data stream. Following this logic, it would be inherent that the addresses (i.e., frames) indicate the number of frames stored on the DVD. Accordingly, Takahashi et al anticipate each and every limitation of Claim 26.

As to Claim 27, since each frame (i.e., thumbnail) in the array has a corresponding address identifier, it is inherent the array include said starting addresses. Accordingly, Takahashi et al anticipate each and every limitation of Claim 27.

The portion of Claim 29 which addresses the number of thumbnail pictures stored in the menu data area corresponds to Claim 25. Thus, it is analyzed and rejected as discussed therein. The remaining portions was rejected under 35 U.S.C. 112 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

IV. Claims 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al in view of Chen et al. (US Pat. No. 5,917,830).

Claim 22 recites the medium of claim 21, wherein the menu data area records padding data between at least two of the blocks of menu data. As discussed above, Takahashi et al anticipate each and every limitation of claim 21, but fail to disclose the limitation of claim 22. However, within the same field of endeavor, Chen et al disclose a similar system wherein null packets are inserted (i.e., appended) into the video stream for the purpose of preventing buffer overload. (Abstract; Col. 2, Ln. 40-54). The exact placement of such null packets is obvious and a matter of simple design choice. Accordingly, it would have been obvious to one of ordinary skill in this art at the time of Applicant's invention to combine the systems of Takahashi and Chen in order to prevent RAM buffer overload through utilizing null data packets appended to each menu picture data.

The limitations of Claim 28 are combinations of limitations from Claims 21 and 22. Thus, it is analyzed and rejected as discussed therein.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jade O. Laye whose telephone number is (571) 272-7303. The examiner can normally be reached on Mon. 7:30am-4, Tues. 7:30-2, W-Fri. 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner: Jade O. Laye
Initials: JK
February 13, 2006.


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600